

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 25285 of 2016

Date of Decision: 7.12.2016

Sukhdev Singh

....Petitioner.

Versus

State of Punjab and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE RAMENDRA JAIN.**

PRESENT: Mr. Mansur Ali, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for a direction to respondents No.2 and 3 to regularize his possession of House No. 853-A, MIG, Phase X, SAS Nagar, Mohali as per the policies, Annexures P-2 to P-4, respectively and in view of orders of this Court (Annexure P-5 Colly), being 1984 Sikh riot victim. Further, a direction has been sought to the respondents to take action on the representation dated 14.10.2016 (Annexure P-8) moved by the petitioner.

2. The petitioner is a 1984 riot victim and Sikh migrant holding Red Card dated 13.3.1986 (Annexure P-1). He is living in House No. 853-A, MIG, Phase X, SAS Nagar, Mohali. State of Punjab issued a policy dated 3.11.2008 (Annexure P-2) for regularization of possession of the riot victims at the rates so fixed in the year 1991-92 as per policy dated

issued by the State of Punjab. Earlier, the petitioner along with others filed CWP No. 379 of 2010 for regularization of possession which was disposed of by this Court vide a common order dated 14.9.2010 passed in CWP No. 16345 of 2009 titled as Kuljit Singh and others v. State of Punjab and another. Thereafter, the petitioner filed CWP No. 26401 of 2015 for regularization of possession of the flat in question which was dismissed as withdrawn by this Court with liberty to file a fresh petition for challenging the decision dated 29.3.2016. The petitioner filed CWP No. 6528 of 2016 which was disposed of by this Court vide order dated 6.4.2016 directing respondent No.2 to pass a reason order after hearing, if necessary, any other party concerned as well as those named in the red card relied upon by the petitioner. Further, the order dated 14.9.2010 passed by this Court in CWP No. 16345 of 2009 was upheld in LPA No. 260 of 2011. Similar matter bearing CWP No. 17206 of 2016 came up before this Court and this Court vide order dated 24.8.2016 (Annexure P-6) disposed of the said writ petition with a direction to respondent No.2 to decide the representation of the petitioner therein within a period of three months from the date of receipt of the copy of the order. Further, respondent No.2 made an enquiry regarding the possession of the petitioner and submitted the enquiry report dated 2.3.2016 (Annexure P-7). Thereafter, the petitioner moved a representation dated 14.10.2016 (Annexure P-8) to the respondents for regularization of the possession, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has moved a representation dated 14.10.2016 (Annexure P-8) to the respondents, but no action has so far been

taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the representation dated 14.10.2016 (Annexure P-8), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

December 7, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No